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## FENWICK & WEST LLP

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#### **FACSIMILE TRANSMISSION**

# CONFIDENTIAL

DATE:

October 12, 2005

CLIENT-MATTER NUMBER: 21790-08992

NAME:	FAX No.:	PHONE No.:
Igor N. Borissov, Examiner	(571) 273-8300	(571) 272-6801
Group Art Unit 3639		

FROM:

Jennifer Bush

PHONE:

(650) 335-7213

RE:

Application No. 09/849,510

Filed: May 4, 2001

Title: Supply Chain Visibility for Real-Time Tracking of Goods

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	NUMBER OF PAGES WITH COVER PAGE:	7	·
- 1			

#### MESSAGE:

Igor,

Attached hereto is my Response to the Interview Summary mailed September 13, 2005 by Examiner Woo, which references the attached Revocation and Substitute Power of Attorney filed on July 1, 2004, for which approval has not yet been received.

# **CAUTION - CONFIDENTIAL**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE OR ITS DESIGNEE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

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21790/08992/DOCS/1565830.1

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#### IN THE

OCT 12 2005

# UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Xi Li, Keng-Shao Chang, John J. Dooley, Abhijit A. Deshpande,

650 938 5200

Thomas Alan Greene, and Darren Jeffrey Hakeman

SERIAL NO.:

09/849,510

FILING DATE:

May 4, 2001

TITLE:

Supply Chain Visibility for Real-Time Tracking of Goods

EXAMINER:

Igor N. Borissov

GROUP ART UNIT:

3639

ATTY. DKT. NO.:

21790-08992

	CERTIFICATE OF FACSIMILE TRAN	SMISSION	
I heraby certify that this corres	pondence, including the enclosures identified above, is being Patents at the facsimile number indicated below.	g transmitted on the date	shown below via
Signature:	Conlital		
Typed or Printed Name:	Jennifer R. Bush, Reg. No. 50,784	Dated:	October 12, 2005
Facsimile Number:	1-571-273-8300		

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA. 22313-1450

# RESPONSE TO EXAMINER'S INTERVIEW SUMMARY

Sir:

# I. INTERVIEW SUMMARY

Applicants' representative received from Examiner Woo an Interview Summary dated September 13, 2005, regarding an interview that took place with Applicants' representatives on August 17, 2005. The Interview Summary was sent to Applicants' former counsel. As a result, Applicants' representatives did not receive the Interview Summary until yesterday. The Interview Summary indicated that "the arguments were not persuasive to change the position of the examiner." Applicants' representatives disagree with this statement by

Examiner Woo and thus reprint below the Substance of the Interview as filed in the Amendment filed August 19, 2005.

# SUBSTANCE OF INTERVIEW

Applicants thank the Examiner for his time in conducting a telephone interview on August 17, 2005. During the telephone interview, Applicants' attorneys and the Examiner discussed claim 1 and the outstanding rejection under 35 U.S.C. § 103(a) in light of the combination of McDonald 6,211,781 ("McDonald") and Jansen 6,243,450 ("Jansen").

Agreement was reached during the interview that the cited references do not disclose the element of charging users of a supply chain a "fee dependent on the number of tracked goods." In addition, the Examiner indicated the portion of the McDonald reference in which he believes "compensati[ng] for missing information by using a previous tag read and a current tag read" is discussed.

# II. CORRESPONDENCE ADDRESS

Applicants' representatives did not receive the Interview Summary until yesterday because the Interview Summary was sent to Applicants' former counsel.

Although Applicants' representatives are able to access the case information via private PAIR, no acceptance of the Revocation and Substitute Power of Attorney mailed July 1, 2004 has been received by Applicants' representative, nor is one listed in the PAIR file wrapper data. This Revocation and Substitute Power of Attorney, as well as the postcard bearing the USPTO date stamp, is attached.

05:06PM

650 938 5200

Applicants invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,

Xi Li, Keng-Shao Chang, John J. Dooley,

Abhijit A. Deshpande, Thomas Alan Greene, and

Darren Jeffrey Hakeman

Date: October 12, 2005

By:

Jennifer R. Bush, Reg. No. 50,784

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# BEST AVAILABLE COPY

Application No.: 09/849.510	c: DC/cjk Filing Date: May 4, 2001  Docket No.: 21790-08992
Applicant(s): Xi Li et al.	TRACKING OF GOODS
Title: SUPPLY CHAIN VISIBILITY FOR REAL-TIME Please imprint Patent Office "date stamp" he pages of Specification, Claims & Abstract	ereon to indicate receipt and return card to addressee.  Nonpublication Request under 35 U.S.C.  122(b)(2)(B)(i).
□ sheets of formal drawings □ Provisional Application Cover Sheet □ New Utility Application Transmittal □ Transmittal □ Fee Transmittal (in duplicate)	Response to Notice Of Missing Parts Request for Corrected Filing Receipt Request for Correction of Recorded Assignment
☐ Declaration ☐ Assignment & Recordation Perer Difference	☐ IDS, PTO/SB/08A, and cited references ☐ Issue Fee Transmittal ☐ Letter to Chief Draftsperson
Power of Attorney  RCE Transmittal Application Data Sheet	Formal Drawings: sheets
☐ Check in the amount of ☐ Amendment/Response	Notice of Appeal Express Mail No.